

Feb 16 04 08:39a

Michael Balconi-Lamica

512-264-3687

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Fax Transmittal

OFFICIAL

DATE: February 16, 2004 Total Pages Including Cover: 17

TO: Examiner Boris M. Pesin
Art Unit: 2174
Company: USPTO
Fax #: 703-872-9306 Phone #: 703-305-8774
Application Serial No. 09/839,817
Docket #: US010197

FROM: Michael J. Balconi-Lamica
Reg. No. 34,291
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Should you have any problems with this transmittal, please call: 512-461-2624

MESSAGE: **EXPEDITED PROCEDURE**
Please deliver to Examiner Pesin (Art Unit: 2174)
Mail Stop Non-Fee Amendment

Examiner Pesin:

Attached for filing are the following documents:

1. Transmittal Form;
2. Fee Transmittal Form; and
3. Response to Office Action.

Entry of this paper in the above-identified application is courteously solicited. Any questions regarding this matter should be directed to the undersigned.

Michael J. Balconi-Lamica

Michael J. Balconi-Lamica

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$0.00)

Complete If Known

Application Number	09/839,817
Filing Date	April 20, 2001
First Named Inventor	Yun-Ting Lin
Examiner Name	Boris M. Pesir.
Art Unit	2174
Attorney Docket No.	US010197

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number	
Deposit Account Name	

The Director is authorized to: (check all that apply)

-
- Charge fee(s) indicated below
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- Credit any overpayments
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- Charge any additional fee(s) or any underpayment of fee(s)
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-
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _1814 Terminal Disclaimer (37 CFR 1.20(d))

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$0.00)

SUBTOTAL (1) (\$0.00)

**or number previously paid, if greater. For Reissues, see above

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Michael J. Balconi-Lamica	Registration No. (Attorney/Agent)	34,291	Telephone	512-461-2624
Signature	<i>Michael J. Balconi-Lamica</i>		Date	2/16/04	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

		Application Number	09/839,817
		Filing Date	April 20, 2001
		First Named Inventor	Yun-Ting Lin
		Art Unit	2174
		Examiner Name	Boris M. Pesin
Total Number of Pages in This Submission	16	Attorney Docket Number	US010197

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

EXPEDITED PROCEDURE

PLEASE deliver to Examiner Pesin (Art Unit 2174), MAIL STOP Non-Fee Amendment.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MICHAEL J. BALCONI-LAMICA (Reg. No. 34,291)
Signature	<i>Michael J. Balconi-Lamica</i>
Date	2/16/04

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	MICHAEL J. BALCONI-LAMICA	
Signature	<i>Michael J. Balconi-Lamica</i>	Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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OFFICIAL**PATENT**Docket No.: US010197
Customer No. 000024737**RECEIVED
CENTRAL FAX CENTER****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****FEB 17 2004**

In re application of:
YUN-TING LIN § Confirmation No. 1575
Serial No.: 09/839,817 § Group Art Unit: 2174
Filed: April 20, 2001 § Examiner: Boris M. Pesin
For: AUTOMATIC SELECTION OF §
FAVORITE MEDIA SELECTIONS OF A §
USER OF A MEDIA PRESENTATION §
DEVICE (as amended) §

*H/6/1
2/19/04
ew*

RESPONSE TO OFFICE ACTION

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

In response to the Office Action mailed January 2, 2004, please amend the above-identified application as follows:

Amendment to the Title begins on page 2 of this paper.

Amendments to the Specification begin on page 3 of this paper.

Amendments to the Claims are reflected in the listing of claims which begin on page 4 of this paper.

Remarks/Arguments begin on page 10 of this paper.

Feb 16 04 08:32a

Michael Balconi-Lamica

512-264-3687

P.5

PATENT

Docket No.: US010197

Customer No. 000024737

Amendment to the TITLE:

Replace the title with the following amended title:

Automatic Selection of Favorite Media Selections of a User of an a Media
Presentation Device